IN RE: PETITION FOR ADMINISTRATIVE

ZONING VARIANCE

N/S Candytuft Road, 204 ft. W

of c/l Parkholme Circle 226 Candytuft Road

4th Election District 3rd Councilmanic District John B. Chisnell, Jr., et ux

Petitioners

\* BEFORE THE

\* ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* Case No. 97-119-A

. . . . . . .

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by John B. Chisnell, Jr., and Mary B. Chisnell, his wife, for that property known as 226 Candytuft Road, in the Suburbia subdivision of Baltimore County. The Petitioners herein seek a variance from Sections 1802.3.8 (211.3 & 301.1) of the Baltimore County Zoning Regulations (BCZR) to permit a 4 ft. side yard and a 14 ft. side yard sum in lieu of 7.5 ft. and 15 ft. respectively, in a D.R.5.5 zone, for a carport. The subject property and requested relief is more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship

upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 2 day of October, 1996 that the Petition for a Zoning Variance from Sections 1802.3.B (211.3 & 301.1) of the Baltimore County Zoning Regulations (BCZR) to permit a 4 ft. side yard and a 14 ft. side yard sum in lieu of 7.5 ft. and 15 ft., respectively, in a D.R.5.5 zone, for a carport, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2. The carport shall remain open on the three exposed sides and shall not be enclosed at any time.
- 3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

MANRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

LES:mmn



Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

October 18, 1996

Mr. and Mrs. John B. Chisnell, Jr. 226 Candytuft Road Reisterstown, Maryland 21136

RE: Petition for Administrative Variance Case No. 97-119-A Property: 226 Candytuft Road

Dear Mr. and Mrs. Chisnell:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

Lawrence E. Schmidt Zoning Commissioner

LES:mmn encl.





Printed with Soybean Ink on Recycled Paper



REVIEWED BY: 75/1 DATE: 9/16/96

ESTIMATED POSTING DATE: 9/24/94

## Petition for Administrative Variance

A NO.	to the Zoning Comm	issioner of Baltimore (	<b>Jounty</b>
RYLAND	for the property located at	226 CANDUTUET ROA	0
	97-119-A	which is presently zoned	D.R:5.5
The undersig	shall be filed with the Office of Zoning Administra med, legal owner(s) of the property situate in Baltimade a part hereof, hereby petition for a Variance from	ore County and which is described in the description an	id plat attached

(211.3+301.1, R.6.) in lieu of 7.5° and 15°, respectively.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or praotical difficulty) 1). TO Replace AN Existing STRUCTURE THAT WAS ONCE THERE DAMAGE BY THE Show in JANUARY 1996 2). A CERTIFICATION OF INTENT TO REPAIR HAS BEEN SIGNED BY HOMEOWNER TO CITICORP MORTGAGE, INC. 3) MAjority OF HOMES IN Development ALL HAVE CARPORTS OR AWNING OF SOMEKING. 4.S. HOME WAS PURCHASED THROUgh THE VETERANS ADMINISTRA-TION INTACT

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filling of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Legal Owner(s):  John B CHISNELL JR  (Type or Print Name)  Addu B Chinelf Jan  Signature  MARY BCHISNELL
(Type or Print Name)  - John B Chunelf Jor Signature
Signature B Chimelf Ja
Significan 13 Chica 5
many 12 chicketh
(Type or Print Name)
Mary B Chisnell
Signature of Manuel
226 CANGUTOST Rol work: 3
Address Phone No. R. 41
REISTRANTOWN Mcl. 21136 Zipcode
Name, Address and phone number of representative to be contacted
John BY MARY B CHISNED
226 CANDY TUFT Rd
REISIERS TO WN md 21136

Printed with Soyboan Ink on Recycled Paper

Zoning Commissioner of Baltimore County

# Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at	CANDUTUFT ROAD
Reist City	estroun Ad 21136 State State
That based upon personal knowledge, the following are th Variance at the above address: (Indicate hardship or practical diffic	facts upon which I/we base the request for an Administrative
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TO REPAIR WAS signed by	Homeowner. THE House was
PURCHASED THROUGH THE U	ETERANS ADMINISTRATION INTACT
2	THE PRODERTY TO CONFORM WIT
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	BAND WORKS NIGHTS AND WIFE
CAN DRIVE RIGHT UP TE	
•	Affiant(s) will be required to pay a reposting and advertising fee and  ORE  (signature)  MARY B. CHISIVELL  (type or print name)
STATE OF MARYLAND, COUNTY OF BALTIMORE,	
I HEREBY CERTIFY, this 13 <sup>+k</sup> day of Septer of Maryland, in and for the County aforesaid, personally a	mber, 1996, before me, a Notary Public of the State
John R Chisnell, Jr. 0	and mary B Chisnell
the Affiants(s) herein, personally known or satisfactorily it that the matters and facts hereinabove set forth are true a	dentified to me as such Affiantt(s), and made oath in due form of law nd correct to the best of his/her/their knowledge and belief.
AS WITNESS my hand and Notarial Seal.	$\overline{}$
September 13, 1996	My Commission Expires: July 9, 1997
	ing continuous suppress of the first the

97-119-A

#### ZONING DESCRIPTION

ZONING DESCRIPTION FOR <u>226 CANDYTUFT ROAD</u>. Beginning at a point on the north side of Candytuft Road which is 50 feet wide at the distance of 204.24 feet west of the centerline of the nearest improved intersecting street Parkholme Circle which is 50 feet wide.

\*Being Lot # 28, Block H, Section # 4 in the subdivision of Suburbia as recorded in Baltimore County Plat Book # R.R.G. 29, folio # 148, containing 6344.7592 ft. Also known as 226 Candytuft Road and located in the 3 election District, 4 Councilmanic District.



#111

# CZETIFICATE OF POSTING

Petitioner: Posted for: ZONING DEPARTMENT OF BALTIMORE COUNTY 97-119-A Date of Posting 9/27/9%

Posted by Man Remarks: Location of Signs

Location of property

Lame

(1)

Number of Signar

Date of return;



Baltimore County
Department of Permits and
Development Management

97-119-A

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

#### ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

#### PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR
Por novembre - A
For newspaper advertising:
Item No.: 119 Petitioner: John B. Chisnell Vr.
Location: 226 Caulytuff Roal
PLEASE FORWARD ADVERTISING BILL TO:
NAME: John B. Chisnell Tr.
ADDRESS: 226 Candy fuft Road
Reisterstown, Mp 21136
PHONE NUMBER: (410) 8 33 - 5836
(i) the man



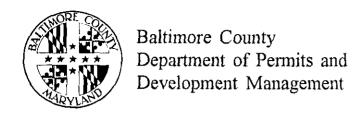
# BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

TOWSON, MARYLAND 21204







Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

September 27, 1996

#### NOTICE OF CASE NUMBER ASSIGNMENT

Re:

CASE NUMBER: 97-119-A (Item 119)

226 Candytuft Road

N/S Candytuft Road, 204' W of c/l Parkholme Circle

4th Election District - 3rd Councilmanic

Legal Owner(s): John B. Chisnell, Jr. and Mary B. Chisnell

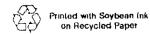
Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before September 29, 1996. The closing date (October 14, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon Director

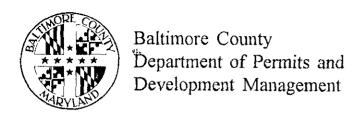
cc: John and Mary Chisnell, Jr.



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VALIDATION OR SIGNATURE OF CASHIER

DESTRUCTION
WATE-CASHER PMK-AGENCY YELLOW-CUSTOMER



Development Processing
County Office Building
III West Chesapeake Avenue
Towson, Maryland 21204

October 8, 1996

Mr. and Mrs. John B. Chisnell, Jr. 226 Candy Tuft Road Reisterstown, MD 21136

RE: Item No.: 119

Case No.: 97-119-A

Petitioner: John Chisnell, et ux

Dear Mr. and Mrs. Chisnell:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 16, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

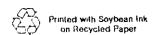
If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

V. Carl Richards, Jr

Zoning Supervisor

WCR/re
Attachment(s)



#### Baltimore County Government Fire Department



700 East Joppa Road Towson, MD 21286-5500 Office of the Fire Marshal (410) 887-4880

DATE: 00/03/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF SEPT. 30, 1996.

Item No.: SEE BELOW

Zoning Agenda:

#### Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS (119, 120, 121, 122, 124, 125, 126, 127 and 129.

71 7, 5, 57

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

#### INTER-OFFICE CORRESPONDENCE

TO:

PDM

DATE: Sy 26,96

FROM:

R. Bruce Seeley

Permits and Development Review

**DEPRM** 

SUBJECT:

Zoning Advisory Committee
Meeting Date: Scp 30,96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

126

129

RBS:sp

BRUCE2/DEPRM/TXTSBP

Miles

#### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

DATE:

September 26, 1996

TO:

Arnold Jablon, Director

Permits and Development

Management

FROM:

Pat Keller, Director

Office of Planning

SUBJECT:

Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 110, 111, 112, 118/119, 120, 122, 124, and 127

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Division Chiefy

PK/JL

Executive Office 400 Washington Avenue (410) 887-2450 (410) 887-5781

C.A. Dutch Ruppersberger, III Baltimore County Executive



September, 1996

Desr County Employee:

The 1996 United Way of Central Maryland chartty campaign for Baltimore County Government is now in full swing. Please help United Way continue to aid family, friends, and neighbors by generously contributing to this year's gift giving.

One out of three people is touched by a United Way service each year--600,000 individuals whose lives are better because we care enough to give.

Far too many of our fellow citizens find it difficult to provide for the basics of life--food, clothing, shelter, and health care. Over 10,000 children in our County live below the poverty line. Homeless shelters serve nearly 3,000 and furned away over 1,000 more. Nearly twenty percent of our residents are over the age of sixty, with many lacking the necessary support and services to sid them. With limited resources, County Government cannot help all of those in need. Fortunately, we can count on over 300 United Way human care services to help improve the quality of life in our County.

Through United Way, we can help teens learn personal responsibility, teach adults how to read, provide affordable day care for our children, improve health care for families, help people with disabilities lead more independent lives, and care for the elderly.

We are extremely proud of Baltimore County employees' tradition of generously supporting the United Way. We are once again asking you to help the less fortunate by contributing to this year's campaign.

On behalf of the recipients of your contributions, thank you.

George G. Perdikakis

Chairman, 1996 United Way Campaign

Baltimore County Federation of Public Employees

Baltimore County Fire Fighters Association, Local 1311

Appendix Annith Baltimore County Federation of Public Health Nurses

Fraternal Order of Police, Lodge #4

County Executive

C.A. Dutch Ruppersberger, III

Supervisory, Management & Confidential Employees





David L. Winstead Secretary Parker F. Williams Administrator

9-27-96

Ms. Roslyn Eubanks Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE: Baltimore County

Item No. 119

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief Engineering Access Permits

BS/es

MICROFILMED

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free

My telephone number is

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

:OT

Arnold Jablon, Director

Date: October 7, 1996

Department of Permits & Development

Management

FROM:

obert W. Bowling, Chief evelopment Plans Review Division

SUBJECT:

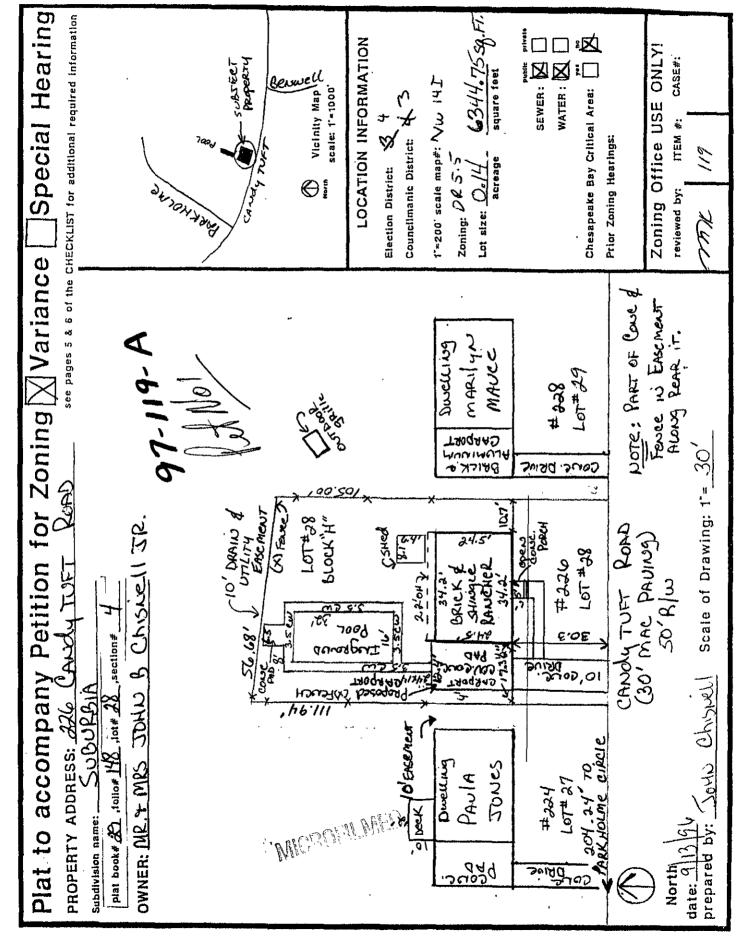
Zoning Advisory Committee Meeting

for October 7, 1996 Item Nos. 119) 121, 122, 124, 125, 126, 127, & 129

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

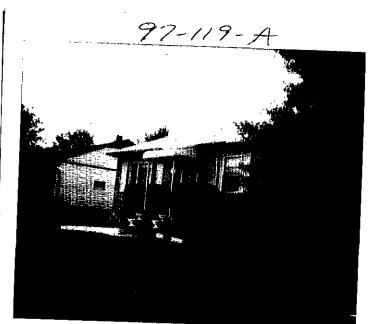
cc: File



97-119-A



273 CANDY TUFT

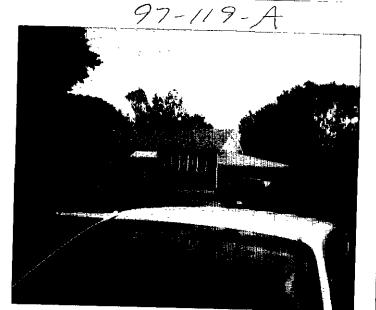


224 CANDY TUFT

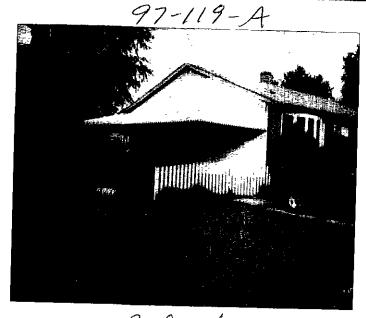
97-119-A



225 CANDY TUFT VARIANCE WAS PULLED AND JUB WAS Completed



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228 CANDY TOFT

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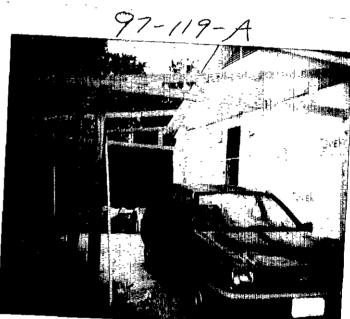
226 CANDY TUFT



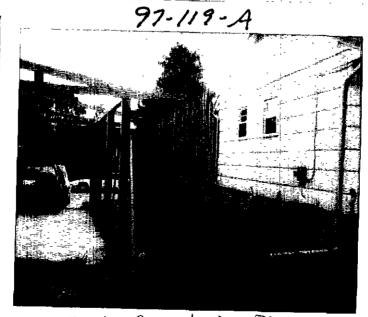
206 CANDY TUFT Proposed CARPOT



226 CANDY FUFT Proposed CARPOT



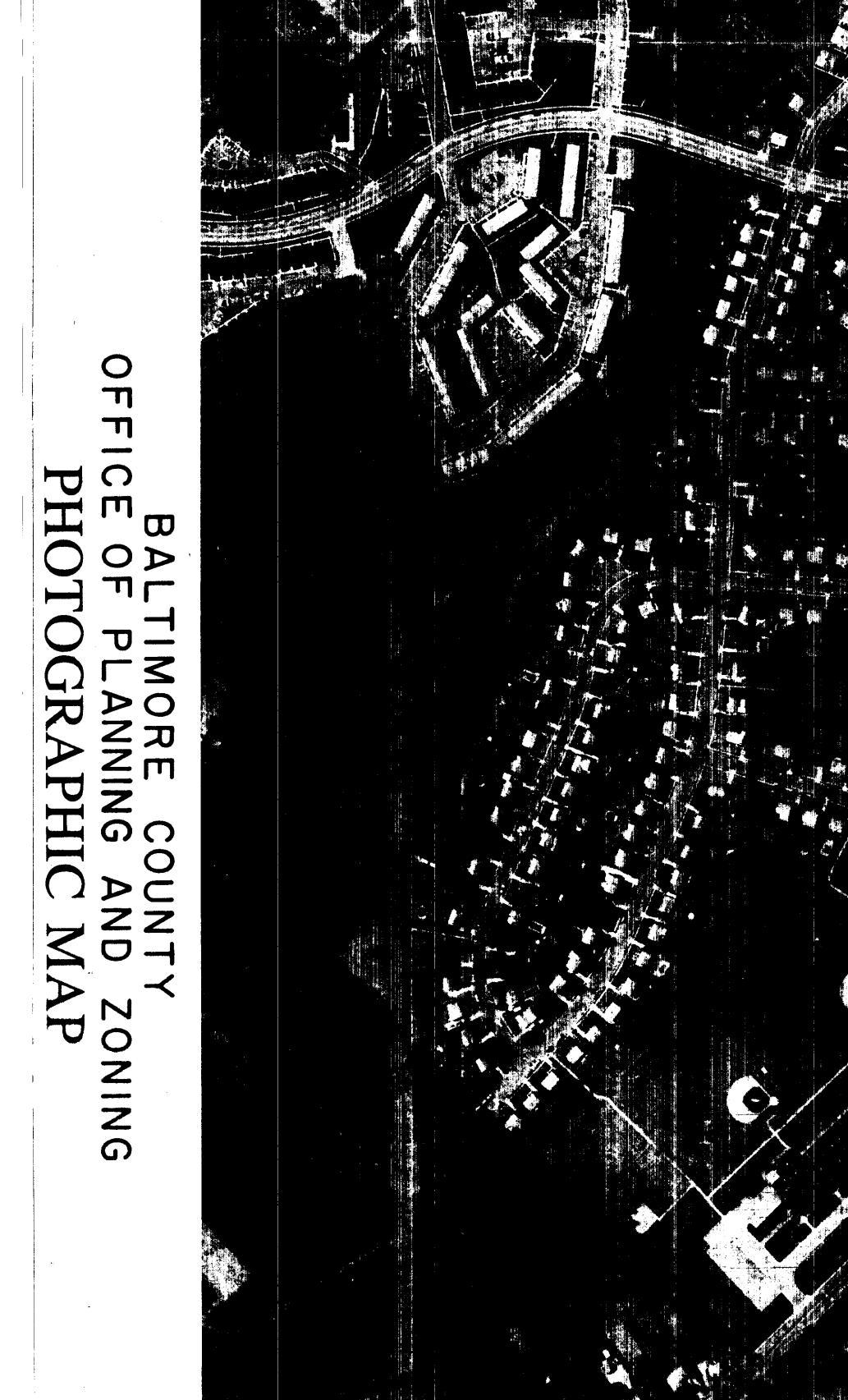
224 CANDY TUFT Proposed CARPORT



226 CANDY TUFT Proposed CARPOT

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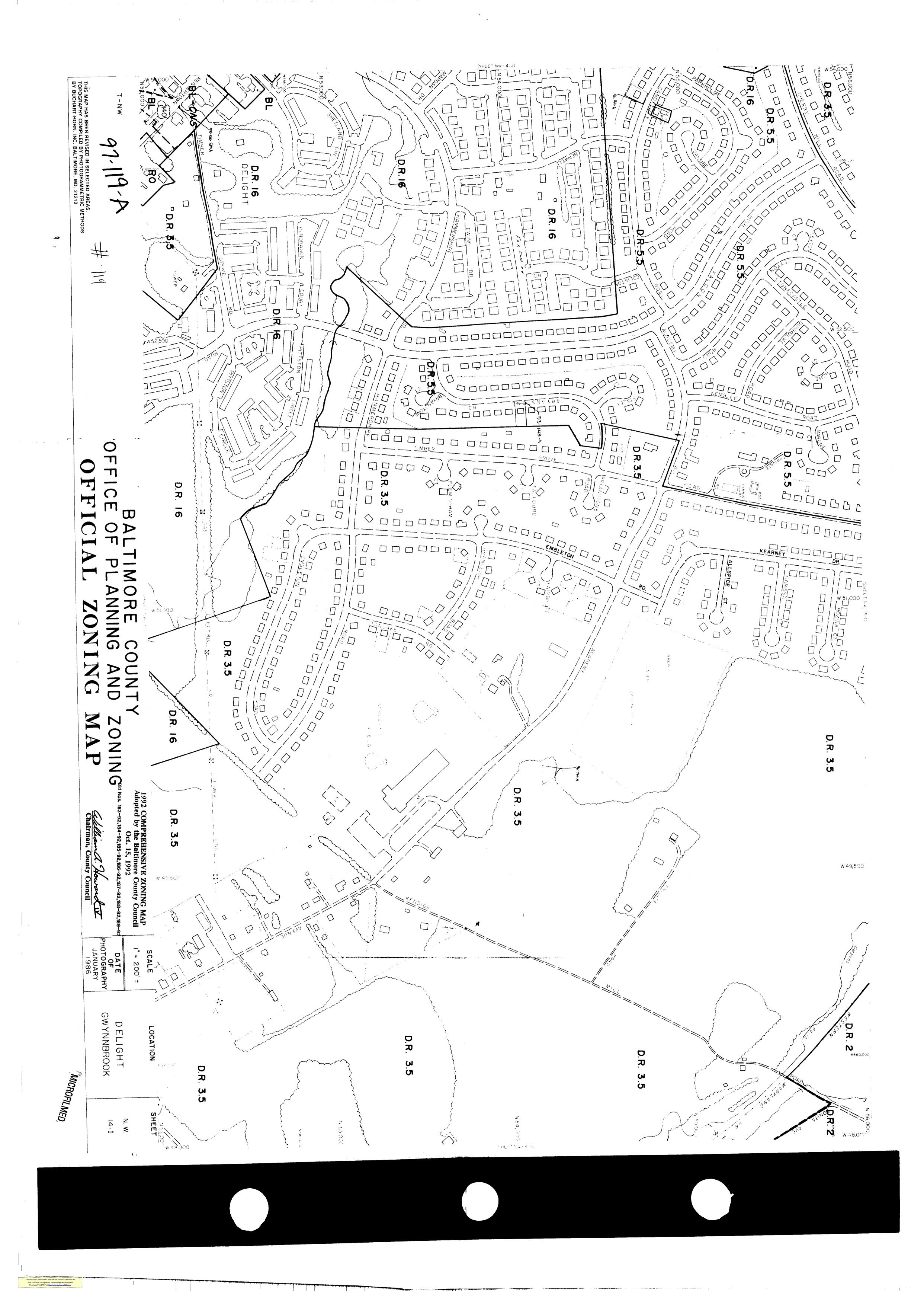
PAGE & OF R



MICROFILMED

DATE OF PHOTOGRAPHY JANUARY 1986

l" = 200'±



IN RE: PETITION FOR ADMINISTRATIVE ZONING VARIANCE N/S Candytuft Road, 204 ft. W \* ZONING COMMISSIONER of c/l Parkholme Circle \* OF BALTIMORE COUNTY 226 Candytuft Road 4th Election District \* Case No. 97-119-A 3rd Councilmanic District John B. Chisnell, Jr., et ux

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

\* \* \* \* \* \* \* \* \* \* \*

This matter comes before the Zoning Commissioner as an administrative variance filed by John B. Chisnell, Jr., and Mary B. Chisnell, his wife, for that property known as 226 Candytuft Road, in the Suburbia subdivision of Baltimore County. The Petitioners herein seek a variance from Sections 1B02.3.B (211.3 & 301.1) of the Baltimore County Zoning Regulations (BCZR) to permit a 4 ft. side yard and a 14 ft. side yard sum in lieu of 7.5 ft. and 15 ft. respectively, in a D.R.5.5 zone, for a carport. The subject property and requested relief is more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

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upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 18 day of October, 1996 that the Petition for a Zoning Variance from Sections 1802.3.B (211.3 & 301.1) of the Baltimore County Zoning Regulations (BCZR) to permit a 4 ft. side yard and a 14 ft. side yard sum in lieu of 7.5 ft. and 15 ft., respectively, in a D.R.5.5 zone, for a carport, be and is hereby GRANTED, subject, however, to the following restrictions:

> 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The carport shall remain open on the three exposed sides and shall not be enclosed at any

When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

> ZONING COMMISSIONER FOR BALTIMORE COUNTY

LES:mmn

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to That the Affiant(s) does/do presently reside at 226 CANDUTUFT ROAD

Reisterstann ind 21136 That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty) THE REPLACEMENT OF THIS CARPORT IS A RESULT OF Show

DAMAGE IN JANUARY 1996 And A CERTIFICATION OF INTENT TO REPAIR WAS signed by Homeswore. THE HOUSE WAS PUDGHASED THEOREN THE VETERANS ADMINISTRATION INTACT. Homeowners would like THE PROPERTY TO CONFORM WITH REST OF Development, Home owners Like THE Security CAN DRIVE RIGHT UP TO SIDE DOOK.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13<sup>th</sup> day of September, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared John B" Chisnell, Jr. and mary & Chisnell

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of taw that the matters and facts hereinabove set forth are true and correct to the best of his/her/heir knowledge and belief.

97-119-A

ZONING DESCRIPTION

ZONING DESCRIPTION FOR 226 CANDYTUFT ROAD. Beginning at a point on the north side of Candytuft Road which is 50 feet wide at the distance of 204.24 feet west of the centerline of the nearest improved intersecting street Parkholme Circle which is 50 feet wide. \*Being Lot # 28, Block H, Section # 4 in the subdivision of Suburbia as recorded in Baltimore County Plat Book # R.R.G. 29, folio # 148, containing 6344.7592 ft. Also known as 226 Candytuft Road and located in the 3 election District, 4 Councilmanic District.

MISCELLANEOUS CASH RECEIPT By: MIK AMOUNT \$ 85.07 I+x .. 119

400 Washington Avenue Towson, MD 21204

Baltimore County Government Zoning Commissioner

Office of Planning and Zoning

(410) 887-4386

October 18, 1996

Mr. and Mrs. John B. Chisnell, Jr. 226 Candytuft Road Reisterstown, Maryland 21136

RE: Petition for Administrative Variance Case No. 97-119-A Property: 226 Candytuft Road

Dear Mr. and Mrs. Chisnell:

Suite 112 Courthouse

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

> Very truly yours, Zoning Commissioner

Printed with Soybean Ink

CZRTIFICATE OF POSTING ZCNING DEPARTMENT OF BALTIMORE COUNTY 97-119-A

	Towns, Maryland	,	
ht_4_1_4	G .	Date of Posting 9/27/9%	
)istrict osted for:	226 Candytube Rd	Date of Posting	
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BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION 97-119-A FROM: Chisnell, John Vr - 226 Carly Total 010- Res. Var. (Alm.) - \$ 50.00 080- 1 sign post.

# Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 226 CAUGUTUFT ROAD

which is presently zoned D.2-5.5 This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached

hereto and made a part hereof, hereby petition for a Variance from Section(s) 1 1302.3 B /to permit a 4' side yard and a 14' side yard sum (211.3+301.1, R.G.) In lieu of 7.5" and 15", respectively.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) 1). TO Replace AN Existing STRUCTURE THAT WAS ONCE THERE DAMAGE BY THE SNOW IN JANUARY 1996 2). A CERTIFICATION OF INTENT TO REPAIR HAS BEEN SIGNED BY HOMEOWNER TO CITICORP MORTGAGE INC. 3) MAjority OF HOMES IN Development ALL HAVE CARPERTS OR AMNINGS OF SomeKind. 4) Home was Purchased Through The VETERANS Administra-TION INTACT.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

			I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:			Legal Owner(s):
(Type or Print Name)			Tohn B CHISNELL JR (Type or Print Name)  John B Churnelf Ja
Signature			Signature  MARY 13 C 14 15 IN ELL  (Type or Print Name)
Address			(Type or Print Name)  - 11/4 14 B Minnell Signature
City	State	Zipcode	.7
Attorney for Petitioner:			126 CANDY TUFT Rd wak. 327-122 Address Phone No. 14 410 381 09
(Type or Print Name)			Keisterstaun Mol 21136 Ext de
Signature			Name, Address and phone number of representative to be contacted.
Address	Phorie No.	<u>.                                    </u>	John BY MARY B CHISNELL JI 226 CANDY TOFT Rd
City	State	Zipcode	Address Phone No. 12 E151E,25 To WN md 21136
A Public Hearing having been that the subject matter of this scirculation throughout Baltimo	petition be set for a public hea	aring , advertised	dered by the Zoning Commissioner of Baltimore County, this day of, 19, d, as required by the Zoning Regulations of Baltimore County, in two newspapers of general
			Zaning Commissioner of Battimore County
REVIEWED BY: 757)(	DATE: 9/16/16	£3	Printed with Soybean Ink on Recycled Paper

Baltimore County
Department of Permits and
Development Management 97-119-A

ESTIMATED POSTING DATE 7/2-/14

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

	ARNOLD JABLON, DIRECTOR
For newspaper adv	ertising:
Item No.: <u>//9</u>	Petitioner: John B. Chisnell Vr.
Location: 226	Canlytuft Roal
PLEASE FORWARD AD	VERTISING BILL TO:
NAME: John T	3. Chisnell Jr.
ADDRESS: 226	Candy fuft Road
Reisterstown	mp 21136
	(c) 833 - 583C



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

September 27, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 97-119-A (Item 119) 226 Candytuft Road N/S Candytuft Road, 204' W of c/l Parkholme Circle 4th Election District - 3rd Councilmanic Legal Owner(s): John B. Chisnell, Jr. and Mary B. Chisnell

WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before September 29, 1996. The closing date (October 14, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

 In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s). 3) Please be advised that you must return the sign and post to this office. They may be returned after the

closing date. Failure to return the sign and post will result in a \$60.00 charge. PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER

cc: John and Mary Chisnell, Jr.

Printed with Soybean link



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

October 8, 1996

Mr. and Mrs. John B. Chisnell, Jr. 226 Candy Tuft Road Reisterstown, MD 21136

> RE: Item No.: 119 Case No.: 97-119-A Petitioner: John Chisnell, et ux

Dear Mr. and Mrs. Chisnell:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 16, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Attachment(s)

Baltimore County Government Fire Department

Office of the Fire Marshal

(410) 887-4880

DATE: 46/03/96

Arnold Jabion Director Zoning Administration and Development Management Baltimore County Office Building Towson. MD 21204 MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF SEPT. 30, 1996.

Gentlemen:

Item No.: SEE BELOW

700 East Joppa Road

Towson, MD 21286-5500

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

Zoning Agenda:

8. The Fire Marshal's Office has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS, 119, 120, 121, 122, 124, 125, 126. 127 and 129.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

PDM R. Bruce Seeley

SUBJECT: Zoning Advisory Committee Meeting Date: Scp. 30, 76

DEPRM

Permits and Development Review

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

BRUCE2/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Director Permits and Development

DATE: September 26, 1996

FROM: Pat Keller, Director Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s): Item Nos. 110, 111, 112, 118/119, 120, 122, 124, and 127

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Maryland Department of Transportation State Highway Administration

David L. Winstead Parker F. Williams Administrator

9-27-96

Item No. 119 'H Jk'

RE: Baltimore County

Ms. Roslyn Eubanks Baltimore County Office of Permits and Development Management

County Office Building, Room 109 Towson, Maryland 21204 Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Smail at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours, Ronald Burns, Chief Engineering Access Permits

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

Arnold Jablon, Director Date: October 7, 1996 Department of Permits & Development

Management FROM: bert W. Bowling, Chief
evelopment Plans Review Division SUBJECT: Zoning Advisory Committee Meeting for October 7, 1996 Item Nog. 119, 121, 122, 124, 125, 126, 127, & 129

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb cc: File

Plat to accompany Petition for Zoning Variance Special Hearing
PROPERTY ADDRESS: 226 CANNY TOFT ROAD See pages 5 & 6 of the CHECKLIST for additional required Information Subdivision name: SUBURBIA plat book# 20 ,folio# 118 ,lot# 28 ,section# 4 OWNER: MR. + MRS JOHN & Chiscell JR. CANDY TUFT ROAD

(30' MAC PAULUS)

prepared by: John Chiquel Scale of Drawing: 1 = 30

O Vicinity Map 15 scale: 1'=1000' LOCATION INFORMATION Election District: 🙎 4 Councilmanic District: 43 ~200' scale map#: \W 14I Zoning: DR 5.5 Lot size: Oc/4 6344.75 sq.FT.

acreage square feet SEWER: 🛛 Chesapeake Bay Crilical Area: Prior Zoning Hearings:

NOTE: PART OF COUR & Zoning Office USE ONLY! reviewed by: ITEM #: CASE#:

My telephone number is \_\_\_\_\_

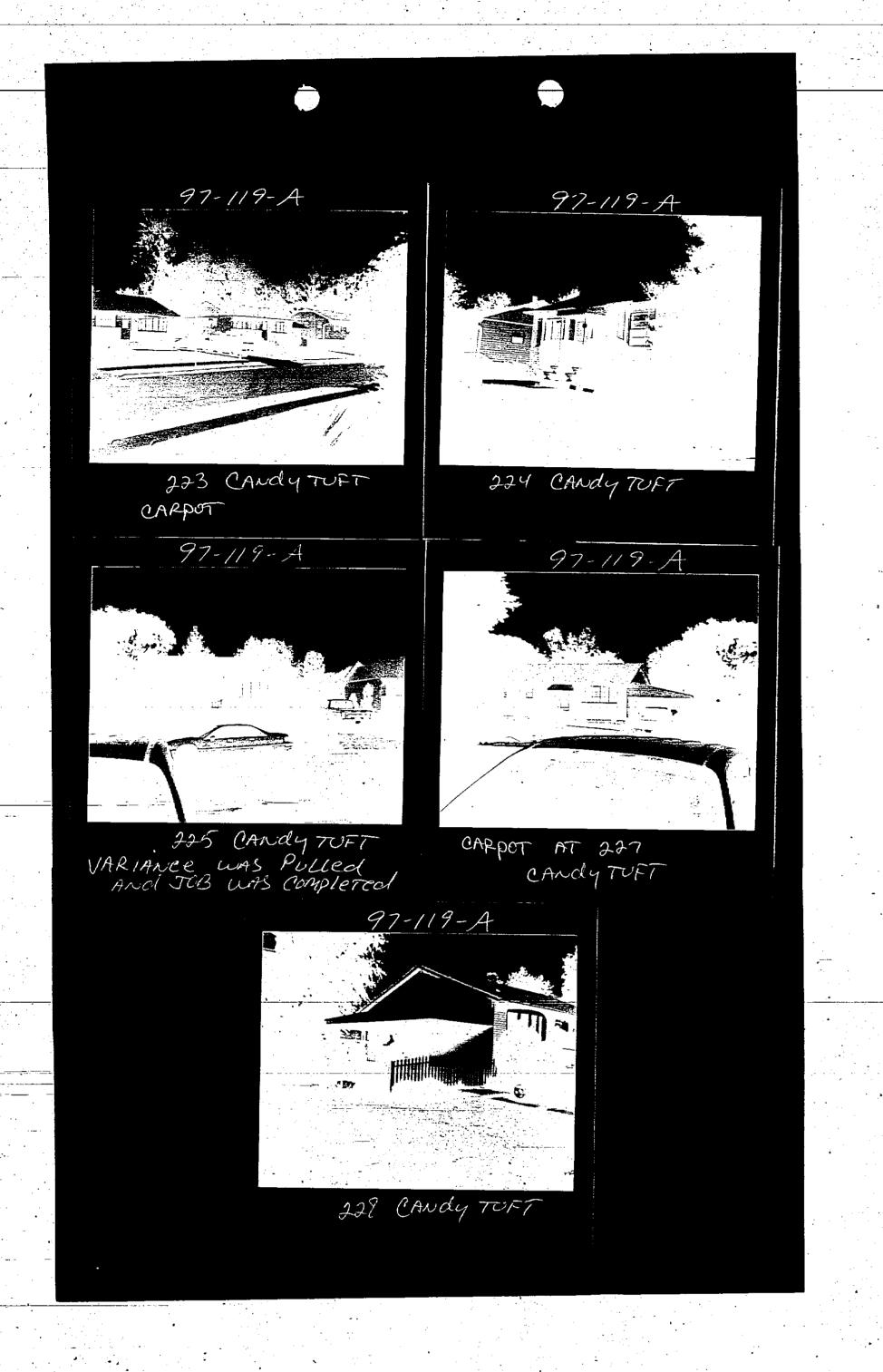
Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717 Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

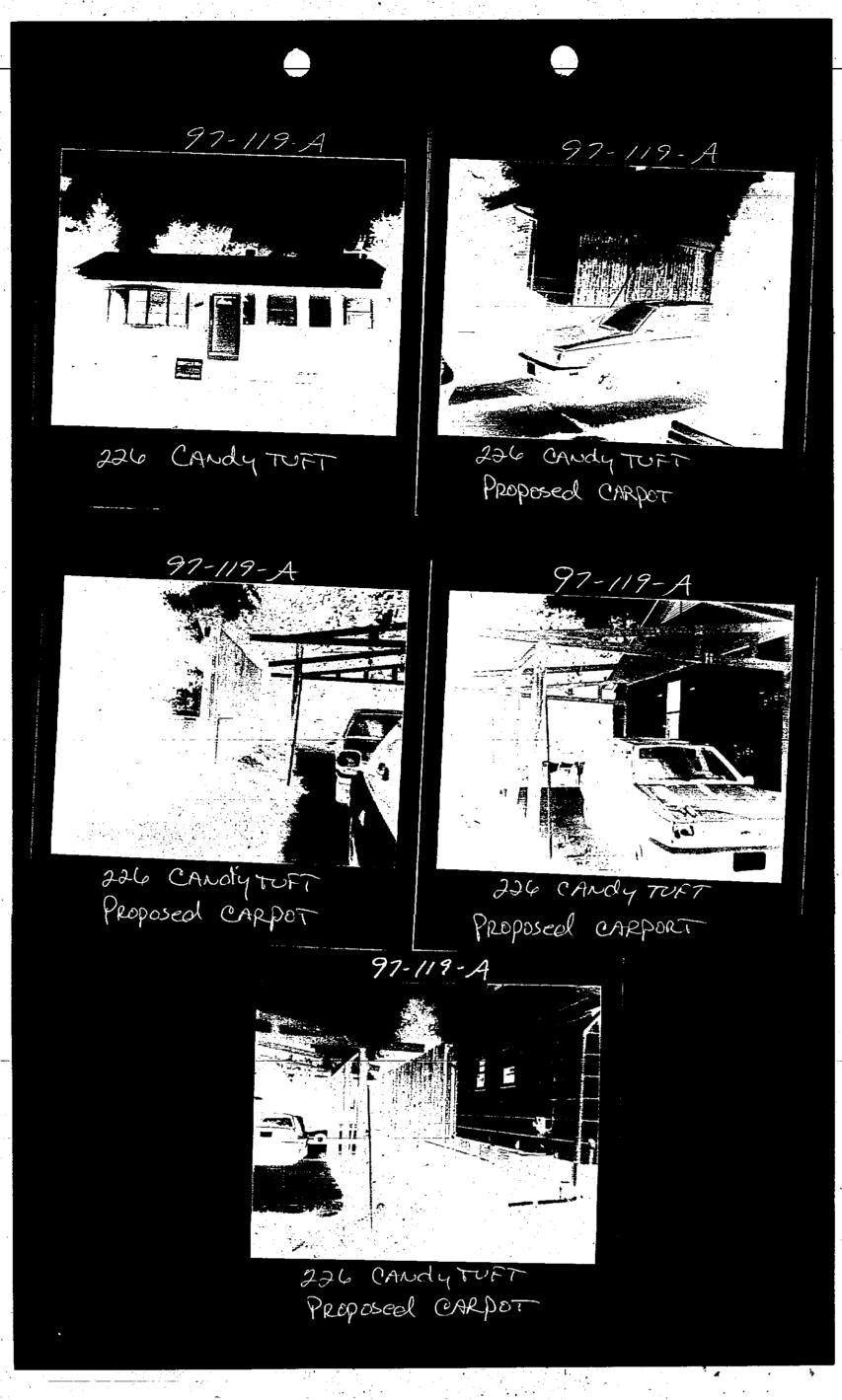
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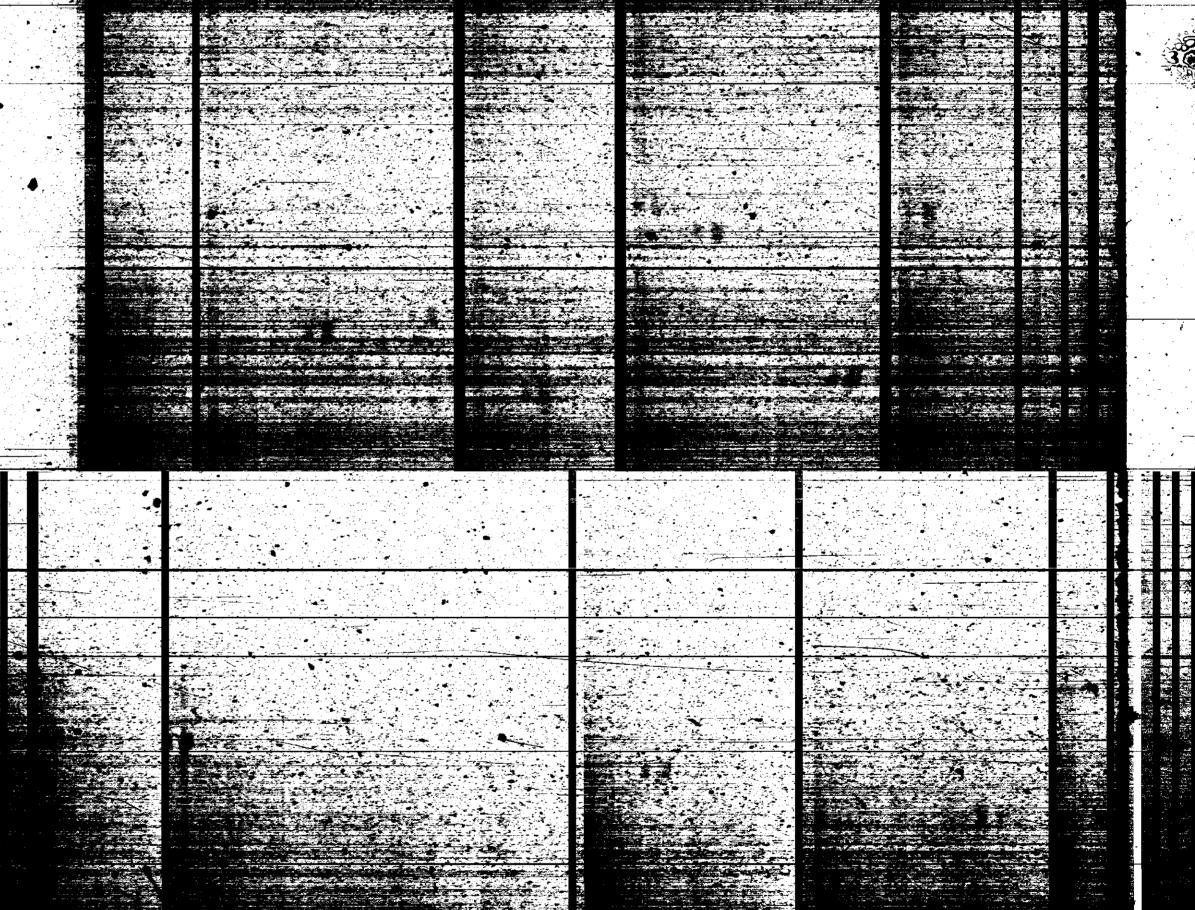
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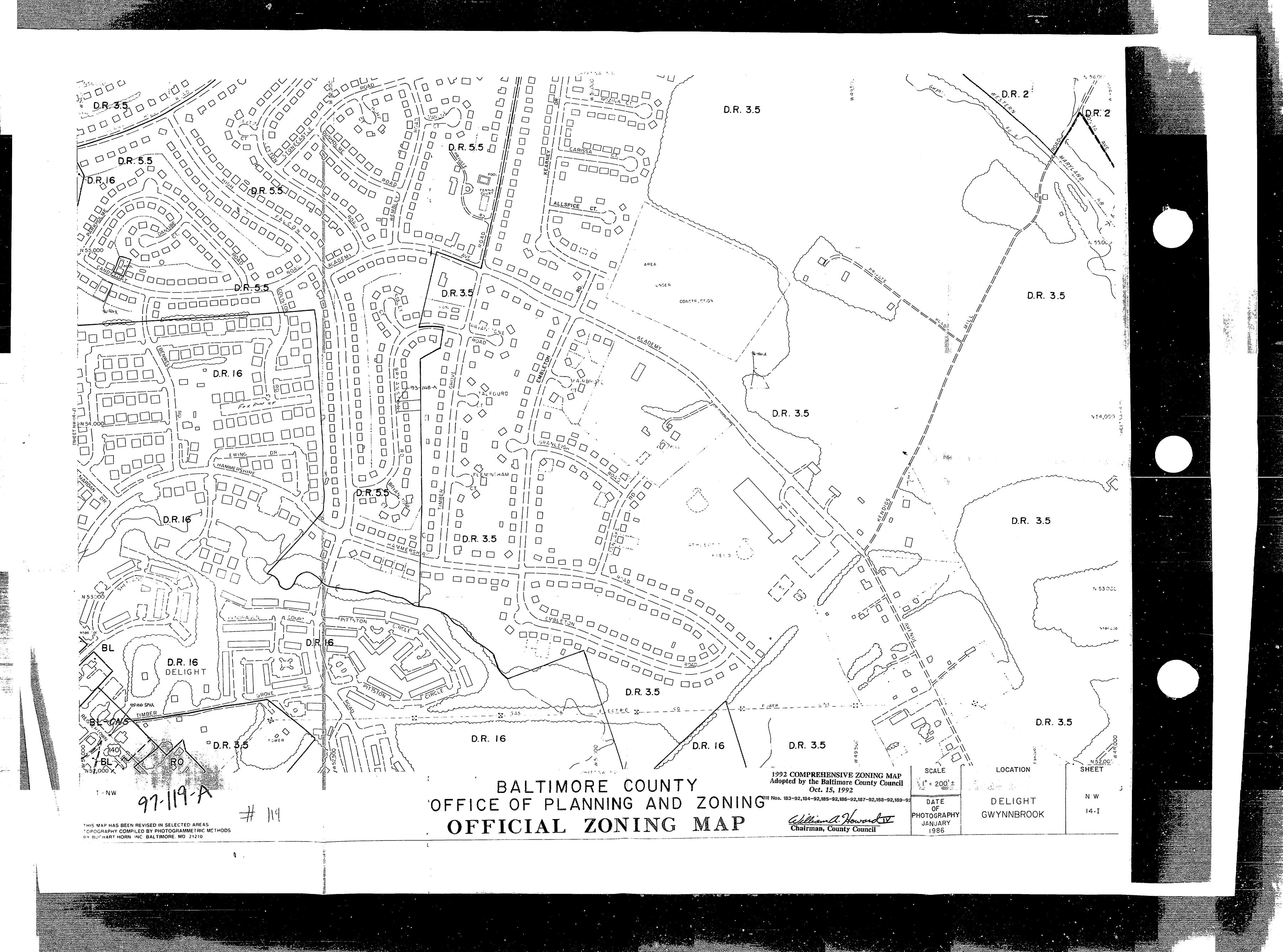
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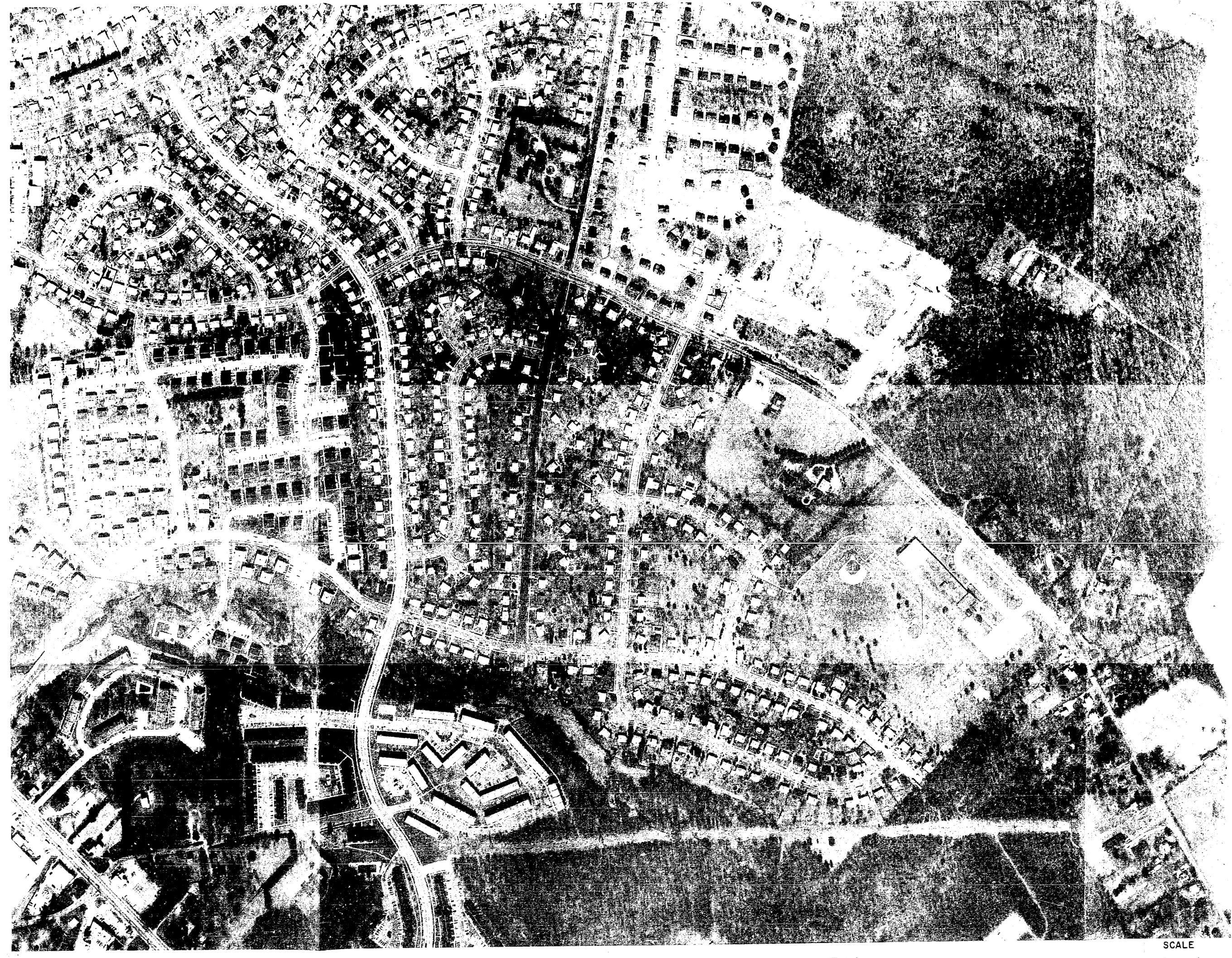
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BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

| | = 200' ±

DATE OF PHOTOGRAPHY JANUARY 1986

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PREPARED BY AIR PHOTOGRAPHICS, INC. MARTINSBURG, W.V. 25401